

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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SANDERS LAMONT ADAMS aka LAMONT  
ADAMS, 93-A-7902,

Plaintiff,

-v-

**ORDER**  
01-CV-0596S(Sr)

VICTOR T. HERBERT, Superintendent of  
Attica Correctional Facility,

Defendant.

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Plaintiff's complaint was dismissed on March 20, 2003 for failure to pay the filing fee. (Docket No. 22). Thereafter, plaintiff's appeal was dismissed by the United States Court of Appeals for the Second Circuit which put plaintiff on notice that the "future filing of frivolous petitions, appeals, motions or other papers might result in sanctions." (Docket No. 29).

Now before the Court is plaintiff's motion to reconsider "the final interlocutory orders and default judgments entered in this and related actions" between certain dates specified in plaintiff's notice of motion, and including this Court's prior orders in this matter dated November 18, 2002 and December 23, 2002. (Docket No. 30).<sup>1</sup> Given the posture of this matter, as described above, the specific requests for relief set forth in plaintiff's motion

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<sup>1</sup>The Order of November 18, 2002 directed plaintiff to pay the full filing fee by a certain date; his failure to do so would result in the action being dismissed pursuant to 28 U.S.C. § 1915(g). (Docket No. 17). Upon plaintiff's subsequent failure to pay the filing fee, the case was dismissed. (Docket No. 22). The Order of December 23, 2002 denied plaintiff's motion to transfer the case to another district. (Docket No. 20).

make little or no sense.<sup>2</sup>

In any event, the Court considers plaintiff's submission to be a motion under Fed.R.Civ.P. 60(b), which provides for relief from a final judgment, order, or proceeding when, for example, there has been a mistake, inadvertence, surprise, excusable neglect, or newly discovered evidence which by due diligence could not have been discovered in time.

Plaintiff's motion fails to provide any relevant information which would lead this Court to reconsider its Orders of November 18, 2002 or December 23, 2002. Indeed, the documents referenced in the motion pertain, for the most part, to a number of the other lawsuits that plaintiff has commenced in the Western District in recent years, and have nothing to do with the instant matter. Accordingly, plaintiff's motion for reconsideration is denied.

SO ORDERED.

Dated: September 21, 2005  
Buffalo, New York

/s/William M. Skretny  
WILLIAM M. SKRETNY  
United States District Judge

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<sup>2</sup> Further adding to the confusion, the notice of motion also states that it is being brought to set aside orders and judgments in *other* cases as well.